

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-319
Administrative Law Judge Division
_____, 2015

R E S O L U T I O N

RESOLUTION ALJ-319. Resolves K.15-05-023, the Appeal of Host Cars LA 17 LLC (David G. Ware) (TCP 32047) from Citation LAX-961 issued on April 29, 2015 by the Safety and Enforcement Division.

This resolution resolves the Appeal of Host Cars LA 17 LLC (David G. Ware) (TCP 32047) from Citation LAX-961, by the California Public Utilities Commission's (Commission) Safety and Enforcement Division (SED) on April 29, 2015. Citation LAX-961 issues a fine of \$2,000 for one violation of California Public Utilities Code Sections 5378.1 and 5379. Prior to the scheduled hearing, parties agreed to payment of the full amount of the citation in monthly installments over a twelve-month period in settlement of the instant appeal. On August 21, 2015, David G. Ware requested to withdraw the appeal.

The Commission regulates charter-party carriers of passengers primarily pursuant to the Passenger Charter-Party Carriers' Act (Pub. Util. Code § 5351, et seq.) Pursuant to Resolution ALJ-187, issued by the Commission on September 22, 2005, SED¹ is authorized to issue citations to various classes of transportation carriers for violation of the Public Utilities Code and/or Commission orders. In turn, a carrier issued such a citation may accept the fine imposed or contest it through a process of appeal under Resolution ALJ-299.²

Citation Appeal K.15-05-023, the Appeal of Host Cars LA 17 LLC (David G. Ware) (TCP 32047) from Citation LAX-961 should be dismissed because there are no remaining issues for the Commission to resolve.

¹ ALJ-187 confers authority on the Consumer Protection and Safety Division now known as the Safety and Enforcement Division.

² The Commission issued Resolution ALJ-299 on June 26, 2014 for application beginning on January 1, 2015.

SAFETY

The Commission has broad authority to regulate charter-party carriers, particularly with regard to safety concerns. (*See* for example, Pub. Util. Code § 451, 5382 and 5387.) The proposed settlement supports the Commission's authority to ensure charter party carriers are meeting their regulatory obligations.

COMMENTS

No public review or comment is required for this resolution pursuant to Rule 14.6 because this matter is now uncontested and this Resolution grants the relief requested.

ASSIGNMENT OF PROCEEDING

Katherine Kwan MacDonald is the assigned Administrative Law Judge for this proceeding.

THEREFORE, IT IS ORDERED that:

1. The Appeal of Host Cars LA 17 LLC (David G. Ware) (TCP 32047) from Citation LAX-961 is dismissed with prejudice.
2. This proceeding is closed.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on _____, the following Commissioners voting favorably thereon:

Timothy J. Sullivan
Executive Director

***** SERVICE LIST *****

K1505023 LIST

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